

JC01 PCT/PTO 15 AUG 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/517,039

Filing Date

June 17, 2003

First Named Inventor

KHAN

Art Unit

TBA

Examiner Name

TBA

Attorney Docket Number

70094USPCT

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/Incomplete Application

☐

Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board of Appeals and Interferences

☐

Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify below):

Receipt postcard; International Search Report; Form PTO-1449

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Syngenta Biotechnology, Inc.

Signature

Printed name

Michael E. Yates, Attorney for applicant

Date

8/12/05

Reg. No.

36,063

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Susan D. Holder

Date

August 12, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



#7  
Rec'd PCT/PTO 15 AUG 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

R. KHAN

Serial. No. 10/517,039

Filed: JUNE 17, 2003

For: METHOD OF TRANSFORMING  
SOYBEAN

Art Unit: TBA

Examiner: TBA

Atty Docket: 70094USPCT

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the references cited on the attached Form PTO-1449. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. Pursuant to 37 C.F.R. §1.98(d), copies of all references cited on the attached Form PTO 1449 are not provided because they were previously cited by or submitted to the Patent Office in national patent application no. 10/463,074.

A copy of the International Search Report is also enclosed.

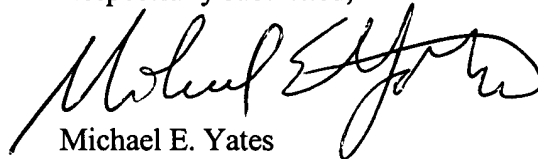
The submission of these references is made solely for the purpose of complying with Applicant's duty of disclosure, and is not intended as a surrender of patentable subject matter nor is it intended to create prosecution history estoppel.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references in relation to this application and to indicate that each reference was considered by returning a copy of the initialed PTO 1449 forms and that the references be made of record in the file history of the application.

In accordance with 37 CFR §1.97(b)(3), no fee is believed to be required for consideration of this statement because it is being submitted before the mailing date of a first Office Action on the merits.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael E. Yates", written in a cursive style.

Michael E. Yates  
Attorney for Applicant  
Registration No. 36,063

## INFORMATION DISCLOSURE CITATION

ATTY. DOCKET NO.  
70094USPCT  
APPLICATION NO.  
10/517,039  
APPLICANT  
KHAN  
FILING DATE:  
June 17, 2003Group  
1651

Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	AA	5,376,543	12/27/1994	Chee et al.	800/294	435/70.1	12/7/1992
	AB	5,416,011	5/16/1995	Hinchee et al	800/294		11/23/1993
	AC	5,563,055	10/8/1996	Townsend et al	800/294		3/28/1994
	AD	5,569,834	10/29/1996	Hinchee et al	800/312		2/14/1995
	AE	5,824,877	10/20/1998	Hinchee et al	800/294	435/252.2	10/25/1996
	AF	5,959,179	9/28/1999	Hinchee et al	800/298	435/419	3/13/1996
	AG	5,968,830	10/19/1999	Dan et al	435/469	435/419	3/28/1997
	AH	6,384,301	5/7/2002	Martinell et al	800/294	800/312	1/14/2000
	AI	20010034888	10/25/2001	Olhoft et al	800/294	435/469	12/15/2000
	AJ	20020170096	11/14/2002	Shewmaker et al	800/294	435/415	3/8/2002
	AK	20020157139	10/24/2002	Martinell et al	800/294	800/312	12/20/2001
	AL	20030046733	3/6/2003	Dias Kalyani Mallika	800/294	435/469	9/6/2001

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AM	WO 94/02620A2	2/3/1994	WIPO	C12N 15/82	A01H 4/00	<input type="checkbox"/>	<input type="checkbox"/>
	AN	WO 00/12735A2	3/9/2000	WIPO	C12N 15/82	C12Q 1/68	<input type="checkbox"/>	<input type="checkbox"/>
	AO	WO 02/102979A2	12/27/2002	WIPO	C12N		<input type="checkbox"/>	<input type="checkbox"/>
	AP	WO 99/18223	4/15/1999	WIPO	C12N 15/82		<input type="checkbox"/>	<input type="checkbox"/>

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AQ	Chee et al, <i>Transformation of soybean (Glycine max) by infecting germinating seeds with Agrobacterium tumefaciens.</i> <i>Plant Physiology</i> , Vol. 91, (1989) pp. 1212-1218
AR	Cheng et al, <i>Plant regeneration from soybean cotyledonary node segments in culture.</i> <i>Plant Science Letters</i> , Vol. 19 (1980) pp. 91-99
AS	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.